

# Foes sue to stop power substation

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Posted: 2:46 PM- CEDAR CITY - Iron County has green-lighted plans for a power substation west of Cedar City, but opponents are asking the courts to stop the project.

A Las Vegas couple, who own property adjacent to the substation site, are suing Rocky Mountain Power's parent company, PacifiCorp, in 5th District Court. The lawsuit seeks an injunction against the proposed station, alleging that it violates restrictions placed on the land by the area's property owners' association.

A hearing for the suit has not been scheduled.

Even if that suit fails, property owner Bill Pratt warned it may not be the only legal action against the project.

"The other property owners out here may get together and file a second lawsuit," he said. "We're not going down without a fight."

Pratt said real-estate agents have told him the substation would devastate property values, including his 20-acre spread, where he plans to build his retirement home.

Rocky Mountain Power wants to build the electrical substation in the Three Peaks Area about 10 miles northwest of Cedar City - near an existing transmission line - to help meet surging demand in booming southwestern Utah.

Iron County's Planning Commission approved a conditional-use permit for the project in September. Opponents - worried that the plant would be an eyesore and increase noise and decrease property values - appealed that decision last month to county commissioners but were rejected.

The permit did call for lowering the substation's elevation by 12 feet to mitigate some of the neighboring property owners' concerns. But the utility challenged the requirement, arguing state law would require the county to pay for the extra excavation.

Earlier this week, the county abandoned the 12-foot requirement in favor of the 2-foot drop already planned by the utility.

Reed Erickson, the county's planner, said the county was not willing to pay the additional costs and noted the proposal still falls within drainage rules.

Iron County also asked Rocky Mountain Power to pay an extra \$100,000 for additional landscaping.

Company spokeswoman Margaret Oler said the utility has agreed to the extra landscaping and now is proceeding with preliminary engineering work for the substation. Completion is set for the summer of 2009.

Oler said the company had no comment on the pending court cases.

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